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*Attorneys for Defendants
Customer Connexx, LLC and ARCA, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DANIELLE CURLEY, on behalf of herself
and all others similarly situated

Plaintiff,

vs.

CUSTOMER CONNEXX LLC; ARCA,
INC.; and DOES 1 through 50, inclusive,

Defendants.

Case No. _____

**DEFENDANTS' NOTICE OF
REMOVAL OF CIVIL ACTION
FROM STATE COURT**

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants Customer Connexx, LLC and ARCA, Inc. ("Defendants"), file this Notice of Removal of Civil Action from State Court. Removal is proper based on the following grounds:

1. On January 3, 2018, Plaintiff Danielle Curley, initiated a civil action captioned *Danielle Curley v. Customer Connexx LLC, et al.*, Civil Action No. A-18-767155-C, in the Eighth Judicial District Court of Clark County, Nevada ("State Court Action").

2. The Complaint in the State Court Action alleges six causes of action, including one cause of action brought under the Fair Labor Standards Act, 29 U.S.C. § 207 ("FLSA").

3. Defendant Customer Connexx, LLC was served a copy of the Summons and Complaint on January 19, 2018. Defendant ARCA, Inc. was served a copy of the Summons and Complaint on January 23, 2018. True and correct copies of the Summons and Complaint are attached hereto as Exhibit A. These documents constitute all pleadings and process provided to Defendants from the State Court Action.

1 4. This Notice of Removal is being filed within thirty (30) days of receipt of service
2 and is timely under 28 U.S.C. § 1446(b).

3 5. Defendants have not filed an Answer or any other pleadings in the State Court
4 Action. Both Defendants consent to removal.

5 6. This Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1331, as
6 the Complaint alleges claims under the laws of the United States – specifically the FLSA.
7 Accordingly, the Complaint establishes on its face that this matter is removable to this Court under
8 the Court’s federal question jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1441(a).

9 7. The Court has supplemental jurisdiction over Plaintiff’s remaining state law claims
10 pursuant to 28 U.S.C. § 1367. Plaintiff’s state law claims stem from the same facts alleged to
11 support her federal law claim. Specifically, Plaintiff alleges that Defendants failed to pay Plaintiff
12 for certain pre-shift and post-shift activities (e.g. booting up computer and shutting down computer)
13 that were allegedly performed off the clock. These allegations regarding pre-shift and post-shift
14 activities form the factual basis of the FLSA claim and each of the five state law claims. (*See*
15 *Compl.* ¶¶ 15-16, 27, 33, 38, 45, 53, 59.) Accordingly, Plaintiff’s state law claims are inextricably
16 intertwined with Plaintiff’s federal claims, and the Court should exercise its supplemental
17 jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367.

18 8. Venue is proper in this Court as it is the district and division embracing the place
19 where the State Court Action is pending.

20 9. Defendants submit this Notice of Removal without waiving any defenses to the
21 claims asserted by Plaintiff and without conceding that Plaintiff has alleged claims upon which
22 relief may be granted.

23 10. This Notice of Removal is signed pursuant to Rule 11 of the Federal Rules of Civil
24 Procedure.

11. A copy of this Notice of Removal has been served upon Plaintiff and will be promptly filed with the Clerk of Court for the District Court of Clark County, Nevada.

WHEREFORE, Defendants pray that the above referenced action, now pending in the Eighth Judicial District Court of the State of Nevada in and for the County of Clark, be removed therefrom to this Court.

Respectfully submitted this 8th day of February, 2018.

JACKSON LEWIS P.C.

/s/ Paul T. Trimmer

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*Attorneys for Defendants
Customer Connexx, LLC and ARCA, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on this 8th day of February, 2018, I caused to be served via the Court's CM/ECF Filing, a true and correct copy of the above foregoing **DEFENDANTS' NOTICE OF REMOVAL OF CIVIL ACTION FROM STATE COURT** properly addressed to the following:

Mark R. Theirman, Esq.
Joshua D. Buck, Esq.
Leah L. Jones, Esq.
THIERMAN BUCK LLP
7287 Lakeside Drive
Reno, NV 89511

Attorneys for Plaintiff Danielle Curley

/s/ Emily Santiago
Employee of Jackson Lewis P.C.